

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

JASON WILLIAMS,

Plaintiff,

vs.

AT&T MOBILITY LLC,

Defendant.

Case No. 5:19-cv-00475-BO

**DECLARATION OF JOSEPH S. DOWDY
IN SUPPORT OF AT&T'S MOTION TO SEAL**

I, Joseph S. Dowdy, hereby declare as follows:

1. I am a partner in the law firm of Kilpatrick Townsend & Stockton LLP, counsel of record for Defendant AT&T Mobility LLC ("AT&T" or "Defendant") in this matter.

2. I am admitted to practice before this Court and appear in all the Courts of the State of North Carolina.

3. If called upon to testify to the facts stated in this declaration, I would do so truthfully, competently, and of my own personal knowledge except where otherwise noted.

4. I make this declaration in Support of AT&T's Motion to Seal Materials Filed in Support of Motion for Summary Judgment ("Motion") filed on March 30, 2022 at ECF 127.

5. Through my representation of AT&T in this and other matters, I am familiar with AT&T's business practices and have knowledge of the information or types of information that AT&T considers its trade secrets or highly sensitive confidential business information.

6. In the Motion, AT&T seeks an Order from this Court sealing (1) limited portions of AT&T's Memorandum in Support of Motion for Summary Judgment or Partial Summary Judgment (ECF 119 at 7-8, 14-15); (2) limited portions of AT&T's separate statement of material facts (ECF 120, ¶¶ 9, 12, 19); and (3) Exhibits 4 and 5 of the Appendix filed in support of the Motion for

Summary Judgment and accompanying motions in limine (ECF 125-5, 125-6) (collectively, “Proposed Sealed Materials”).

7. The Proposed Sealed Materials contain information that identifies AT&T’s proprietary, trade secret, and/or highly sensitive business information, including AT&T’s practices for combatting SIM swap fraud.

8. In the deposition of AT&T’s corporate representatives under Fed. R. Civ. Proc. 30(b)(6), two AT&T employees, Valerie Scheder and Ray Hill, testified as to AT&T’s efforts to prevent unauthorized SIM swap activity, including specific technology, security practices, policies and procedures employed by AT&T to combat this activity.

9. AT&T does not disclose this information to the general public and closely guards the secrecy of this information, which could be misused by criminals in an attempt to thwart AT&T’s security measures.

10. The public release of this information would harm not only AT&T’s competitive standing, but would also threaten the security of AT&T’s wireless networks and thereby harm AT&T, its wireless network, and its subscribers because criminals could use that information to attempt to overcome AT&T’s security practices and commit crimes, including unauthorized SIM card swaps.

I declare under penalty of perjury under the laws of the United States of America that the foregoing facts are true and correct. Executed on March 30, 2022, at Raleigh, North Carolina.

/s/ Joseph S. Dowdy
Joseph S. Dowdy

CERTIFICATE OF SERVICE

I hereby certify that on date set out below, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

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This the 30th day of March, 2022.

/s/ Joseph Dowdy
Joseph S. Dowdy